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BOARD MEETING
STATE OF CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD

JOE SERNA, JR., CALEPA BUILDING
1001 I STREET
2ND FLOOR
BYRON SHER AUDITORIUM
SACRAMENTO, CALIFORNIA

WEDNESDAY, JANUARY 17, 2007

10:12 A.M.

TIFFANY C. KRAFT, CSR, RPR
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PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

BOARD MEMBERS

Ms. Margo Reid Brown, Chair

Mr. Wesley Chesbro

Mr. Jeffrey Danzinger

Ms. Rosalie Mul

Mr. Gary Petersen

STAFF

Mr. Mark Leary, Executive Director

Ms. Julie Nauman, Deputy Executive Officer

Mr. Elliot Block, Staff Counsel

Ms. Judy Friedman, Branch Manager, Organics & Resource
Efficiency

Ms. Kristen Garner, Executive Assistant

Mr. Jim Lee, Deputy Director, Special Waste Division

Mr. John Smith, Branch Manager, Recycling Business
Assistance

Ms. Brenda Smyth, Staff

ALSO PRESENT

Mr. Terry Leveille, TL & Associates

Mr. Mark Murray, Californians Against Waste

Mr. Michael Paparian, former Board member

Mr. Chuck White, Waste Management

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1 PROCEEDINGS

2 CHAIRPERSON BROWN: Good morning. We have a lot
3 of people standing in the back. There's so many seats.
4 Can you guys please come, sit. We won't make you sit for
5 more than five or ten minutes.

6 Good morning. I can't imagine why you're all
7 here. We'd like to remind people about your cell phones.
8 We're going to call this meeting to order and call the
9 roll. I'd like to remind you about your cell phones to
10 please turn your cell phones in the vibrate mode.

11 Kristen, can you call the roll?

12 EXECUTIVE ASSISTANT GARNER: Chesbro?

13 CHAIRPERSON BROWN: Not yet. That's next on the
14 agenda. Sorry.

15 EXECUTIVE ASSISTANT GARNER: Danzinger?

16 BOARD MEMBER DANZINGER: Here.

17 EXECUTIVE ASSISTANT GARNER: Mulé?

18 BOARD MEMBER MULÉ: Here.

19 EXECUTIVE ASSISTANT GARNER: Petersen?

20 BOARD MEMBER PETERSEN: Here.

21 EXECUTIVE ASSISTANT GARNER: Brown?

22 CHAIRPERSON BROWN: Here.

23 And we'll stand right now and do our Pledge of
24 Allegiance.

25 (Thereupon the Pledge of Allegiance was

1 recited in unison.)

2 CHAIRPERSON BROWN: Thank you.

3 Do any Board members have any ex partes to
4 report?

5 BOARD MEMBER MULÉ: Up to date.

6 BOARD MEMBER PETERSEN: Up to date, Madam Chair.

7 CHAIRPERSON BROWN: Great.

8 Now it gives me great pleasure to welcome back
9 one of our previous Board members, founding member of the
10 Integrated Waste Management Board as it exists and my
11 pleasure to meet Senator Chesbro. So we'd like to at this
12 time, if there's any comments from Board members, and then
13 we'll go straight to a swearing in.

14 BOARD MEMBER MULÉ: Welcome. Looking forward to
15 working with you. I know we had the privilege to work
16 with you on some legislative issues, and I know you bring
17 a wealth of knowledge and experience to the Board. So I'm
18 looking forward to working with you, former Senator.

19 BOARD MEMBER PETERSEN: Well, Wesley, I also want
20 to welcome you. Two old-time recyclers getting together,
21 this is a really grand thing. Anyway, welcome.

22 BOARD MEMBER DANZINGER: Are you going to stand
23 for that? He called you old timer.

24 BOARD MEMBER CHESBRO: As long as he includes
25 himself.

1 Easy for you to say, by the way, kid.

2 BOARD MEMBER DANZINGER: Wesley, I think you know
3 how much I respect you and how much I look forward to
4 working with you.

5 I dug up something. This is from the discussion
6 at the Board in '92 when the first market development
7 strategy for the Board was established. And you should
8 know, I know since I came back, I think I've mentioned on
9 several occasions I think market development was one of
10 the areas that the Board did very well during the early
11 years of the 939 era. And I think to the staff's chagrin
12 I think that it atrophied for a few years the first part
13 of this decade. And I think we've ramped it up again this
14 year with a much stronger focus.

15 But here are Senator Chesbro's comments. I'll
16 only read a brief passage from that. He was the one who
17 introduced this strategy and led the way on it back then.

18 "I don't think we can overemphasize the
19 importance of this program and the need to move
20 very rapidly. California's recycling future
21 depends on the success of this endeavor. The
22 effort is also important and challenging at
23 another level, and that is that it provides us
24 the opportunity to contribute significantly to
25 California's economic development needs and help

1 meet the recessionary problems that business and
2 local governments and the state government are
3 facing all over the state. Recycling market
4 development is a significant economic development
5 opportunity."

6 It's a very basic statement. I think it was a
7 very thoughtful statement. I think it's very prophetic.
8 I think that the experience since then has demonstrated
9 all of this to be abundantly true. Recycling is a job
10 creator. It bolsters our economy. And of course, it
11 works hand in hand with everything that we're going to try
12 to do from here on. So thank you for coming back. I look
13 forward to working with you.

14 CHAIRPERSON BROWN: Thank you. Now I think we
15 will take the opportunity to swear in our new member.
16 We'll do it down by the flags, of course. Raise your
17 hand. For the record, his hand is on the California Code
18 Statutes.

19 BOARD MEMBER CHESBRO: Nonsectarian here.
20 (Thereupon Mr. Westley Chesbro was duly sworn
21 into office as member of the Waste Management
22 Board.)

23 CHAIRPERSON BROWN: That's it. Congratulations.
24 (Applause)

25 CHAIRPERSON BROWN: Thank you very much.

1 Actually, someone said I should probably read the entire
2 thing all the way through to see if you could remember it
3 all.

4 BOARD MEMBER CHESBRO: I've said it a few times.

5 CHAIRPERSON BROWN: Anyway, thank you. We will
6 have a little celebration. But I think as you all know we
7 have some other celebrations and acknowledgements here.
8 So we are going to do a little bit of our business and
9 then continue with our celebration.

10 I do want to mention a couple of opening remarks
11 and congratulations to the staff on activities that have
12 really raised the awareness of what the Integrated Waste
13 Management Board does throughout the state. And without
14 every single activity of what the Board is doing, because
15 we do tremendous work on a daily basis, just to highlight
16 the great events that we've been doing throughout the
17 state on erecycle.org and raising public awareness and
18 started our public education partnership has gained
19 tremendous outreach to the community on education.

20 And probably the biggest event this past month
21 that really got the Board involved was helping the
22 Governor produce a zero waste inaugural. And our staff
23 worked tirelessly over the holidays in partnership with
24 Waste Management, Inc., who stepped up to the plate and
25 recycled every piece, everything that was produced during

1 the inaugural, from food to bowls that they didn't know
2 were going to arrive at the event. The Green Dream on the
3 Capitol steps: Food waste, cardboard, paper, bottles,
4 cans. They worked with the Convention Center. They
5 worked with the restaurants. And it really highlighted
6 what can be done. And our Board staff did a tremendous
7 job. So I just want to acknowledge that. And we got
8 great coverage for a zero waste inaugural.

9 And then one quick little announcement and
10 farewell. Today is Sue K.'s last Board meeting. And want
11 to take an opportunity to thank you very much for the
12 tireless and humorous humor that you've brought to being
13 the AA for our Board and producing the Board agendas on a
14 monthly basis. It's been invaluable to me coming to this
15 Board and jumping right in as Chair, the professionalism
16 with which you brought to this position and just your
17 accuracy and tireless efforts on a monthly basis. So you
18 certainly will be missed tremendously. And we will
19 welcome you back any time.

20 (Applause)

21 CHAIRPERSON BROWN: And now a little departure
22 from our usual order. I'd like to have Mark give his
23 report, because it's going to lead right into our next
24 celebration and wanted to make sure that we acknowledged
25 and looked back and made that part of our celebration. So

1 Mark.

2 (Thereupon an overhead presentation was
3 presented as follows.)

4 EXECUTIVE DIRECTOR LEARY: Thank you, Madam
5 Chair. Good morning, Madam Chair and members. Welcome,
6 Wesley.

7 It has become somewhat of a Board tradition at
8 the first month of the new year to reflect on what we've
9 accomplished in the past year. And I'm happy to once
10 again provide that report. And it's particularly fitting
11 I think today in tribute to departing member Cheryl Peace.
12 She is much a part of many of these accomplishments, and
13 is welcome to Wes as he comes to appreciate that he has
14 some big shoes to fill. And we're an active Board in
15 trying to accomplish good things.

16 You don't start a reflection on 2006 of course
17 without hitting on our number one achievement really in
18 the history of the Board, and that is the fact we achieved
19 the 50 percent milestone. 2006 marked a milestone not
20 only for the Board, but for California as well as we
21 celebrated achieving 52 percent waste reduction of our
22 state using 2005 numbers. This accomplishment met the
23 mandate of AB 939 and brought national and global
24 attention to our work we do here at the Board everyday.
25 The Board marked this accomplishment of course with a

1 series of events around the state. And the news was well
2 received by stakeholders, environmental groups, and public
3 officials. Of course, congratulations to all of us, but
4 most importantly, to the citizens of the state of
5 California for making that 50 percent.

6 --o0o--

7 EXECUTIVE DIRECTOR LEARY: That 50 percent
8 carried over to another task of 2006. As a member of the
9 Governor's Climate Action Team and in concert with AB 32,
10 the California Global Warming Solutions Act, the Board is
11 responsible for implementing specific greenhouse gas
12 reduction strategies and tracking and reporting to the
13 Governor and the Legislature as progress is made.

14 2006 saw a great deal of attention from the Board
15 on global warming and greenhouse gases. Our tasks are
16 several-fold, including implementing three strategies
17 including achieving the 50 percent mandate, capturing
18 methane in landfills, and achieving high recycling levels
19 and moving towards zero waste, which is the subject of an
20 agenda item later today.

21 Of significant note, and as I mentioned earlier,
22 we did meet the first target of achieving 50 percent,
23 which means we can now take credit for a reduction in
24 greenhouse gases of 3 million metric tons CO2 equivalence.
25 The remaining two strategies of course will continue to

1 receive great focus on our part.

2 --o0o--

3 EXECUTIVE DIRECTOR LEARY: In the area of tires,
4 as you'll remember, on August 7th, 1998, the illegally
5 stored tires at the Royster tire facility in Tracy,
6 California were ignited. More than seven million tires
7 were engulfed in the initial blaze. The fire burned for
8 two months, subsided, but continued to smolder for more
9 than two and a half years. With the expenditure of over
10 \$17 million and many years of intense effort by Board
11 staff, air emissions have been abated, site
12 characterization and remediation have been completed, and
13 all the health threats of one of the greatest
14 environmental disasters in the state in the last two
15 decades have been mitigated.

16 On September 21st, 2006, the property was sold at
17 a public tax lien auction. And as a result of this sale,
18 the Board has completed its efforts and no longer manages
19 the property. The responsibilities have been transferred
20 to a new owner.

21 --o0o--

22 EXECUTIVE DIRECTOR LEARY: And speaking of tire
23 cleanups, good things continue to happen in the last
24 remaining tire piles in the state of California in Sonoma
25 County. With the completion of the Universal Portfolio

1 site and the four other sites remediated, over 90 percent
2 of the tires at the longest known waste tire piles in the
3 state have been removed and properly disposed of.

4 --o0o--

5 EXECUTIVE DIRECTOR LEARY: In the solid waste
6 area, substantial accomplishments addressing illegal
7 dumping and environmental justice were realized in 2006 by
8 forming the solid waste collaborative with U.S. EPA, the
9 Torres Martinez Tribal Government, and other local, state,
10 and federal agencies. The mission of this collaborative
11 is to develop and implement a multi-jurisdictional plan to
12 clean up and prevent illegal dumping on the Torres
13 Martinez reservation. The plan includes community
14 outreach, monitoring and compliance, dump cleanup, access
15 control, and infrastructure development.

16 The Board's role has been to implement through
17 the Solid Waste Cleanup Program to clean up and establish
18 access controls at the largest and most egregious illegal
19 dump sites on the reservation. Three major sites have
20 been identified for Board cleanup assistance. The first
21 site was cleaned up in the topic of a press event
22 coordinated by U.S. EPA in October of this year.

23 --o0o--

24 EXECUTIVE DIRECTOR LEARY: Other accomplishments
25 in the solid waste area: In January 2004, AB 1497 was

1 enacted. This law mandates several new solid waste
2 facility permitting requirements and authorized the Board
3 to adopt regulations to implement these requirements.

4 During 2005 and 2006, staff conducted an
5 extensive rulemaking process to solicit input from
6 stakeholders in the scoping and drafting of the proposed
7 regulation. The formal rulemaking process began in April
8 2006. The Board adopted the regs in October. The
9 regulations will be submitted to OAL in 2007 and will be
10 effective early spring.

11 --o0o--

12 EXECUTIVE DIRECTOR LEARY: In July 2006, the
13 Board concurred with the first California reactor landfill
14 permit for the Kettleman Hills Landfill in Kings County in
15 compliance with the U.S. EPA Subtitle D program that will
16 allow permitting of RD&D, Research, Development, and
17 Demonstration Permits. The Waste Board and the State
18 Water Resources Control Board are working with U.S. EPA to
19 establish final approval of California's RD&D permit
20 program to allow operations to continue to go forward.

21 --o0o--

22 EXECUTIVE DIRECTOR LEARY: In early July of 2006,
23 the San Joaquin Valley experienced a number of days of
24 extremely high temperatures. I thankfully was in Hawaii
25 and didn't noticed. I didn't say that out loud, did I?

1 These temperatures caused a larger than normal
2 number of dairy cattle, poultry, and other animal
3 mortalities. The intermittent operation of a key
4 rendering plant in the valley created an emergency
5 situation in nine counties. Under the coordination of
6 Governor's Office of Emergency Services, the Board staff
7 delivered guidance to the agricultural community and local
8 agencies on the management of animal mortalities on farms
9 and ranches under a declared emergency. This guidance was
10 used by dairymen, ranchers, feedlot operators, or poultry
11 farms, and other confined animal facilities, as well as
12 local public health, environmental health, emergency
13 services, and solid waste management officials to make
14 decisions on the best available and safest disposal
15 methods.

16 --o0o--

17 EXECUTIVE DIRECTOR LEARY: We also in 2006
18 coordinated an outreach program conducted by our Board
19 contractors and staff with the infusion of \$5 million in
20 additional BCP approved funding refocusing our efforts to
21 encourage RAC and civil engineering uses of tires by local
22 jurisdictions. It's well underway and continues to make
23 progress as we speak.

24 --o0o--

25 EXECUTIVE DIRECTOR LEARY: Further in concert

1 with our colleagues in state government, we are partnering
2 with Caltrans and sponsored, "Improving Vegetation
3 Establishment and Erosion Control with Compost-Based
4 Specifications" workshops in five Caltrans district
5 offices during August through October. They were
6 well-attended, with a total of 212 staff participating in
7 five workshops. The workshops are part of a project
8 funded by the Board with a goal of increasing Caltrans'
9 procurement of compost and mulch for roadside application.
10 The workshops introduced the new Caltrans compost and
11 mulch specifications to Caltrans district designers,
12 landscape architects, biologists, and stormwater quality
13 coordinators.

14 --o0o--

15 EXECUTIVE DIRECTOR LEARY: The Board sponsored
16 the Emerging Technology Forum in April of this year.
17 There were approximately 160 participants, including
18 speakers from as far away as New Zealand, Germany, and
19 Israel, who spoke about operating facilities throughout
20 the world. The keynote speaker was Dr. Helmut Schnurer,
21 former head of German Federal Ministry for the
22 Environment. Dr. Schnurer talked about the German and
23 European waste management philosophy and the shift from
24 waste disposal to sustainable resource recovery that
25 minimizes landfilling.

1 Speaking of emerging technology, later in 2006
2 Board Chair Margo Reid-Brown was invited to speak at the
3 Global Waste Strategies Summit in December in London.
4 Board Chair Brown talked about California's efforts on
5 dealing with waste management issues, alternative energy,
6 emerging technologies, and greenhouse gas reduction
7 efforts. There were representatives from New York City,
8 the Netherlands, Sweden, Germany and other countries from
9 the UK who spoke about their strategies to increase
10 recycling, reduce waste, and produce renewable energy.

11 --o0o--

12 EXECUTIVE DIRECTOR LEARY: In 2006, the Board
13 continued to work with our sister air and water quality
14 regulatory agencies to ensure the safe siting and
15 operation of green waste operations throughout the state.

16 In 2004, the Board initiated a project in
17 partnership with San Diego State University to develop
18 solutions to odor complaints plaguing an increasing number
19 of facilities. The project, known as the Comprehensive
20 Compost Odor Response Project, is a multi-faceted project
21 that seeks to provide odor management tools to local
22 enforcement agencies and to composting facility operators.
23 The project was completed in late 2006. And the summer
24 report is undergoing final formatting and review before
25 being published on the Board's website later this month.

1 Also in concert with San Diego State, we've
2 completed bench-scale research and field demonstration
3 tests to develop more cost effective affordable ways to
4 reduce air emissions through best management practices for
5 green waste composting.

6 The Board is also working with various Regional
7 Water Quality Control Boards on the development of new
8 regulatory requirements for composting facilities. The
9 Board is engaged in discussions with the Central Valley
10 Regional Water Quality Control Board to evaluate the
11 impacts and alternatives to land application of food
12 residuals from food processing plants.

13 --o0o--

14 EXECUTIVE DIRECTOR LEARY: 2006 was a big year
15 for electronic waste recycling program. On November 27th,
16 the Office of Administrative Law approved our final regs
17 governing the covered electronic waste recovery and
18 recycling payment system. The program has been operating
19 on emergency regs for the first two years. The successful
20 adoption of the regs was due in large part to the active
21 and supportive involvement of external stakeholders,
22 including e-waste collectors and recyclers, electronic
23 product manufacturers, local government, nonprofit
24 organizations, and state agencies.

25 E-waste staff projects payments will be more than

1 double for 2006 over 2005 and that the approved electronic
2 waste recyclers will receive recovery payments for 64.8
3 million pounds of properly collected, processed, and
4 documented covered electronic waste. Claims covering
5 recycling activities occurring through October of 2006
6 totaled \$42 million with 105 million pounds. At the end
7 of 2006, starting from nothing at the inception of this
8 act, the number of approved collectors is now 508, and the
9 number of approved recyclers is 53.

10 --o0o--

11 EXECUTIVE DIRECTOR LEARY: The Board's efforts to
12 harness the power of state purchasing to effect the
13 development of environmentally preferable products
14 resulted in steady progress in 2006. The EPP best
15 practices manual is online and in use, and over 600 people
16 have received training on EPP. Additionally, several new
17 environmental standards for computers, monitors, carpet,
18 and recycled paint became available.

19 The Prison Industry Authority is moving forward
20 to manufacture two green cleaning products and will
21 continue to make module office systems that conform to the
22 state environmental specifications.

23 Over the course of 2006, DGS has sought to
24 emulate the green building operation that occurs here at
25 CAL/EPA and with Board staff assistance has made great

1 strides in purchasing 100 percent recycled paper, reducing
2 printers, among many other activities.

3 --o0o--

4 EXECUTIVE DIRECTOR LEARY: 2006 was a great year
5 for the RMDZ Program, as the final two recycling and
6 market development zones, Santa Barbara and northeastern
7 California, completed the zone renewal process for a new
8 ten-year term. There are now a total of 33 zones located
9 throughout the state.

10 Businesses within these zones divert
11 approximately 6.6 million tons and created over 17,000
12 jobs. In 2006 alone, the Board approved six loans
13 totaling approximately 5.9 million, and these businesses
14 are projected to divert over 103,000 tons of material
15 annually and create 77 new jobs.

16 One significant project approved is the first
17 mechanized mixed glass facility which will produce clear
18 amber and green furnace-ready feedstock for glass
19 container manufacturers.

20 --o0o--

21 EXECUTIVE DIRECTOR LEARY: In September 2006, the
22 Board started examining the 03-04 biennial reviews, and we
23 are happy to report that 270 jurisdiction biennial reviews
24 have been approved with good diversion programs.
25 Two-hundred-forty-five were above 50 percent, and 25 were

1 below but were found to have made a good faith effort or
2 met a Board-approved reduced diversion requirement.

3 In regards to state agencies' diversion rates and
4 reviews, all 406 state agencies and facilities submitted
5 annual reports for 2005. The Board at its December Board
6 meeting found that only 15 agencies and facilities had not
7 achieved the 50 percent diversion mandate as required by
8 the Public Resources Code. With this finding, CIWMB staff
9 was directed to work with the noncompliant agencies to
10 identify opportunities to increase overall diversion.
11 Through the collaborative efforts of all the reporting
12 state agencies and facilities of 2005, a total of over
13 860,000 tons of materials or 77 percent of the waste
14 generated by state government was, in fact, diverted.

15 --o0o--

16 EXECUTIVE DIRECTOR LEARY: The state of
17 California and the Waste Board continues to lead the world
18 in the collaboration between education and the
19 environment. We saw much growth in this great program
20 over this last year. We continue to work towards meeting
21 the mandates of AB 1548, now referred to as the education
22 and the environment initiative. Dr. Jerry Lieberman was
23 hired to assist in the development of K through 12 grade
24 EEI curriculum. The Office of Education and the
25 Environment also contracted with the National Geographic

1 Society to provide posters, pictures, maps, and other
2 graphics to help illustrate this curriculum.

3 During the summer, our Office of Education and
4 the Environment held 18 workshops throughout California
5 for non-governmental agencies and taught the benefits of
6 aligning various curricula with the Board-approved
7 environmental principles and concepts. Additionally, our
8 office held workshops to train professional curriculum
9 writers in drafting units and new lesson plans for K
10 through sixth grade. The OE&E staff have met with many
11 teachers and principles and superintendents throughout the
12 state in an effort to recruit school districts to field
13 and pilot test the units once we've completed them in
14 2007.

15 --o0o--

16 EXECUTIVE DIRECTOR LEARY: And in 2006, the Board
17 accelerated its efforts to reach out to our local
18 jurisdictions and educate public officials and staff
19 regarding the use of benefits of recycled content material
20 such as RAC, compost, mulch, tire-derived aggregate, and
21 recycled aggregate. Last year, staff visited with over 44
22 cities and counties as well as reaching dozens more
23 through the League of California Cities annual conference,
24 the California State Association of Counties, and RCRC.
25 The programs continue through June 2007, but we've already

1 seen a great response from local jurisdictions, and we'll
2 see much growth in these products.

3 --o0o--

4 EXECUTIVE DIRECTOR LEARY: And with that, Madam
5 Chair, your staff of this Board look forward to a
6 challenging and productive 2007. We felt we had a good
7 year in 2006, but we look to surpass that in the upcoming
8 year.

9 CHAIRPERSON BROWN: That was a lot. We did a
10 lot.

11 And I will say a lot of that or a big contributor
12 to that is our honoree for the next part of our program.
13 And, Cheryl, you're hiding back there. I had to find you.

14 But a big reason we wanted Mark to go through
15 with his report on 2006 was because Cheryl made such a
16 significant contribution to what we did and accomplished
17 here at the Board that it was only fitting and right that
18 she hear one more time all the great work that the Board
19 does and how she made a significant contribution.

20 So we do have a presentation. Cheryl, why don't
21 you come down. At least sit in the front row so we can
22 see your reaction.

23 And I do want to acknowledge and welcome Senator
24 Peace who's joined us. I don't know if you want to -- if
25 you'll say anything at the end. Please feel free if you'd

1 like to. But I think we have a little video and a

2 Resolution.

3 (Thereupon a video presentation was made.)

4 (Applause)

5 CHAIRPERSON BROWN: I don't recall one picture of

6 Rick Dunn in there.

7 BOARD MEMBER DANZINGER: It's very at the end.

8 CHAIRPERSON BROWN: The very, very end. You got

9 lucky, Rick.

10 I know we have a couple of people here who would

11 like to speak.

12 BOARD MEMBER MULÉ: I'll start. You've now made

13 me the oldest member of the Board, senior, whatever you

14 want to call it.

15 Cheryl, I just was so impressed, because I know

16 when I first came to the Board, Cheryl said to me, "I'm

17 just a soccer mom. I'm just a soccer mom." And I said,

18 "Okay. You're just a soccer mom." But when I saw you in

19 action and saw how you just took charge as Chair of the

20 Special Waste Committee, how hard you worked on issues

21 such as the overhauling the tire manifest system, I mean,

22 you really put your heart and soul into everything that

23 you did, all the issues that you worked on. And I mean,

24 talk about somebody who really did their homework. I used

25 to tell everybody that. I said I'm so impressed with

1 Cheryl, the way you just dug into issues and did your
2 homework. And I want to thank you. Because for a soccer
3 mom, you've impressed the heck out of me. So you've done
4 a great job.

5 We will miss you here at the Board. Thank you
6 for your service to California, and I know that you're off
7 to bigger and better things, whatever they may be. But I
8 wish you all the best. Thank you.

9 (Applause)

10 BOARD MEMBER PETERSEN: Well, you're a true
11 recycler now. That's for sure. When I got here, I was so
12 confused. And I said, Cheryl -- I sat down with Cheryl.
13 I said, "So what do I do? What do I say?" I'm a business
14 guy. You know, but she walked me through this and helped
15 me. Sat through the committees and said, "No, don't say
16 that. Okay, say that." Okay.

17 So anyway, I want to thank you for helping me get
18 here and be a part of this Board. But I have to tell you
19 on the Committees and the questions and the things you
20 asked and the detail about this and that and knowing, you
21 educated me. And I've been in the recycling business for
22 35 years. So I am going to miss you, big time. And I
23 told you that before, and I wish you the best. I really
24 do. Thanks.

25 (Applause)

1 BOARD MEMBER DANZINGER: Cheryl, I think that
2 Gary and Rosalie actually captured it very nicely. I
3 mean, I'm going to miss you very much. I really enjoyed
4 working with you. You're an independent mind and an
5 independent spirit on the Board. You may not have arrived
6 with a lot of experience, but I think you demonstrated
7 time and again what you cared about and what you thought
8 was right. And you fought for that. And you stood your
9 ground. And you showed a tremendous amount of passion for
10 these issues. And I don't know that you can ask for
11 anything more than that of a Board member. So I think you
12 can leave knowing that you fought the good fight. You did
13 great work. You were a tremendous contribution to
14 everything that the Board accomplished. And Godspeed,
15 good luck, and we love you.

16 (Applause)

17 BOARD MEMBER CHESBRO: Cheryl, I'd just like to
18 say you've left some very big shoes for me to fill. And I
19 really appreciate the contribution you've made.

20 This program and this law is very, very close to
21 my heart, and I've continued while I've not been here to
22 watch closely what's been going on over here. And I know
23 you've made a huge contribution. And as Board Member
24 Danzinger just said, you have spoken your own mind and
25 walked a path that has helped to keep things from settling

1 into any kind of a complacent or maintenance place, but
2 rather tried to keep the program and the Board moving
3 forward. And for that I thank you very much.

4 And having just left my other job, I think I can
5 say on behalf of the State Senate you served your
6 appointing authority and the people of the state very,
7 very well. Thank you.

8 (Applause)

9 CHAIRPERSON BROWN: Couple of things. Cheryl was
10 one of the first people to welcome me to the Board, and I
11 appreciate that.

12 I'll never forget the picture of you, Cheryl,
13 driving the backhoe at the Tracy tire cleanup. Probably
14 need a copy of that to remind me of you.

15 You're smart. You're tenacious. And you're a
16 strong advocate for the environment. And I think we all
17 recognize that. And you will truly be missed here. I
18 don't think we'll ever look at a RAC contract without
19 thinking of you. And we are meeting with the City of Los
20 Angeles. So thanks to your strong advocacy, we've got in
21 the door. So appreciate that.

22 I know we have a couple of people that have
23 expressed interest in the audience to speak. And then
24 after that, we'll do our Resolution. So former Board
25 Member Papanian.

1 MR. PAPARIAN: Thank you, Madam Chair and
2 members.

3 I was here when Cheryl first came to the Board.
4 And I think I can say that you brought a fresh and
5 important perspective to the Board. You were caring about
6 the issues. And you cared deeply about the staff and how
7 they were doing and how they were reacting to what the
8 Board was up to.

9 I remember some very unfair media attacks on your
10 appointment to the Board. And I just wish that those
11 folks who launched those attacks could have seen you day
12 in and day out serving with the type of dedication that's
13 already been spoken about.

14 I know as a Board member there were some
15 issues -- and I know the rest of the Board members at the
16 time there were some issues we didn't want to deal with
17 very much. And Cheryl would just latch onto those. And I
18 think the tire manifest is a really good example of that.
19 Complicated, you know, a lot of different players, very
20 challenging to address. And you dove in and you dealt
21 with it. And I know we were all appreciative of that and
22 a lot of the other issues that you worked on. You fought
23 for recycling. You fought to make sure we met the
24 mandates. And I think I can sum it up by saying you
25 served with a thick skin, a soft heart, and a dedication

1 to solving problems. So welcome to the ranks of former
2 Board members.

3 (Applause)

4 CHAIRPERSON BROWN: Terry Leveille.

5 MR. LEVEILLE: Cheryl, as they say, you came as a
6 soccer mom. And for some reason after a couple of months
7 you became involved with this arcane waste stream known as
8 tires. And really, for the people that I represent, the
9 tire dealers, the crusty old tire dealers who said, "Who
10 is this woman," to the tire processors, the guys that make
11 the crumb rubber and the tire-derived aggregate and, yes,
12 even the tire-derived fuel to the tire-derived product
13 manufacturers, you became the tire groupie. And we really
14 appreciate your effort on our behalf on so many people
15 that really depended on you as the expert on the Board.

16 And more importantly, I think with your interest
17 and your outspokenness, you conveyed that skill and that
18 expertise to the other Board members. And I know that
19 this present Board takes the Tire Program very seriously
20 and is very adept and very knowledgeable and so much in
21 thanks to you. I told Ed Cohn, who's the executive
22 director of the Southern California Tire District, that
23 you were leaving, and he said, "She's the best thing
24 that's happened to the Board since the invention of the
25 tweel."

1 So once again, on behalf of all of us, in
2 particularly me, you've been really a light for this, as I
3 say, arcane waste stream. And we really appreciate it.
4 Thank you very much.

5 (Applause)

6 CHAIRPERSON BROWN: Thank you, Terry.

7 That's all I'm aware of. But we have some
8 last-minute people. In addition to Mark, if you want to
9 speak, please just raise your hand quickly when he's done.

10 MR. MURRAY: Madam Chair, Board members, thank
11 you for the courtesy.

12 Cheryl, it has been an absolute pleasure to work
13 with you. You came to this Board, as it's been stated, as
14 a soccer mom. You were never intimidated by the process.
15 You were never intimidated by these people. And you were
16 articulate in communicating I think the bottom line of,
17 what are we doing to move recycling? What are we doing
18 for the public? What are we doing to advance this issue,
19 in a way that I think was refreshing and one that I think
20 kind of cut through the bureaucracy very often.

21 Your courage; you were not afraid. You were not
22 intimidated by this process. You weren't afraid to stand
23 up for the issues that you cared about. And I think I
24 feel that the fact that the process decided to oust you
25 from your role on the Special Waste Committee I think is

1 frankly a badge of honor that you should wear. And I
2 frankly feel sorry for Steve, because I think that, you
3 know, she's going to need an outlet. And I hopeful you
4 will find that, and hopefully it will continue to be in
5 the solid waste and recycling area, because you have been
6 a tremendous asset to it. We've appreciated your time,
7 and we look forward to working with you in some capacity
8 in the future. Thanks.

9 (Applause)

10 CHAIRPERSON BROWN: Okay. Now we have a little
11 Resolution. So if you want to come up for that, and we'll
12 all gather for a photo over here.

13 I'm going to read it over here, because the light
14 is better.

15 "California Integrated Waste Management Board
16 Resolution for Cheryl Peace.

17 "Whereas, the California Integrated Waste
18 Management Board was established to oversee
19 implementation of the nation's most aggressive
20 waste diversion mandates while leading the effort
21 to create a sustainable economy driven by markets
22 for new products made from recycled materials
23 resulting in a safer, healthy environment.

24 "Whereas, Ms. Peace was appointed to
25 represent the public's interest as a full-time

1 member of the California Integrated Waste
2 Management Board by Senate Pro Tem Don Perata on
3 January 8th, 2003.

4 "Whereas, Ms. Peace brought her years of
5 experience" -- is that right?

6 BOARD MEMBER PEACE: No, that's not right.

7 CHAIRPERSON BROWN: Senator Perata wasn't her
8 appointing Pro Tem.

9 BOARD MEMBER PEACE: Senator Burton.

10 CHAIRPERSON BROWN: "Whereas, Ms. Peace
11 brought to the Board big ideas and strong
12 leadership while chairing the Special Waste
13 Committee and serving as a member of the
14 Permitting and Enforcement and Sustainability and
15 Market Development Committee.

16 "Whereas, she has raised awareness on a
17 variety of subjects and issues, some of which
18 were unknown even to the Board staff.

19 "Whereas, Ms. Peace provided endless support
20 for the Board staff and its programs, including
21 those developing markets for rubberized asphalt
22 concrete, those exploring and implementing new
23 technologies, and those recognizing outstanding
24 achievement by small businesses.

25 "Whereas, Ms. Peace has left the Legislature

1 still recovering from the four years of waste
2 tire education and rubberized asphalt concrete
3 allocations and tire hauler manifests and
4 considering adding a pit full of snakes to their
5 Committee room to make it more attractive for
6 her."

7 Inside joke.

8 "Whereas, the Board sympathizes with
9 Ms. Peace's three sons as they will most
10 certainly undertake the chauffeur duties that she
11 has grown accustomed to from her advisor. The
12 black hat will be bequeathed accordingly.

13 "Whereas, Ms. Peace will be leaving the
14 enchanting and glamorous world of waste
15 management to lend her excitement and dedication
16 to other worldly issues of significant proportion
17 where the Board wishes those with whom she comes
18 into contact with a bit of advice: Five-foot-one
19 can still pack a heck of a lot of wallop.

20 "Now, therefore be it resolved," -- I know,
21 every inch counts when we're this short.

22 "Now, therefore be it resolved, that the
23 California Integrated Waste Management Board and
24 its staff take great pride in recognizing Cheryl
25 Peace for her dedicated service to the people of

1 the state of California and for her continued
2 contributions as a steward of the environment,
3 life-long protector of the public health and
4 safety, and environmental justice.

5 "Be it further resolved, that the Board and
6 its staff wish her continued success and will
7 always be deeply grateful for the role she played
8 during her accomplished tenure on the Board and
9 for the friendships that will last forever."

10 (Applause)

11 BOARD MEMBER PEACE: Thank you so much for all
12 the kind words. It's going to make me cry now.

13 I really hate saying goodbye. Seems like I just
14 got here. I mean, this building has been like my second
15 home for the last four years. And I care about the work
16 that we do here, and I care about all of you.

17 Now, you thought this was going to be a short
18 Board meeting because I'm not up here on the dais to ask
19 all those questions. But I hope you bear with me one last
20 time, because I do need to say just a couple things.

21 I did need to thank Senator Burton actually who
22 gave me the opportunity to serve, and also to thank my
23 husband who had confidence in me. My husband, Steve,
24 who's here, who had confidence in me and who listened to
25 me talk about nothing but Board business for the last four

1 years.

2 And also I can't leave without thanking my staff.
3 Selma, she was a godsend from the very first day I came to
4 the Board. She organized my entire office, and she kept
5 Rick and Bendan and I on track and under control. And
6 that was no easy task. She is a friend and a confidant,
7 and I was lucky she was my EA. And the Board is lucky to
8 be able to call her out of retirement for her to come and
9 fill in whenever they're in a pinch.

10 Erona, I don't know where she is, but thank you.
11 She came in and stepped in to fill some pretty big shoes
12 when Selma retired, and she did a beautiful job. Thank
13 you so much. I'm lucky also to call her my friend.

14 And Bendon, who taught me all the acronyms and
15 how to understand the agenda items, because heaven knows
16 Rick never read them.

17 And then, of course, there's Rick. What can I
18 say? He was my right hand man -- I guess he'd want me to
19 say my left hand man for the past four years. He gave me
20 good advice most of the time, even though there were
21 several times I just wanted to wring his neck. But really
22 the scary thing to confess is from the beginning we
23 thought so much alike, almost to the point that we could
24 finish each other's sentences, even though I didn't use as
25 many "f" words as he did. I really admire his knowledge

1 of the legislative process, his involvement and passion
2 for AB 939, his passion for wanting to protect the
3 environment, his passion for the mission of this Board,
4 and for always wanting to make this Board the best it can
5 be. I will miss his daily phone calls. And you all might
6 not know it yet, but I think you're all going to miss him
7 around here also.

8 So as a private citizen, I want to thank all of
9 you for the important work that you do. Your
10 professionalism in dealing with six different revolving
11 door Board members all with our own ideas of how things
12 should be done just astounds me. You all are just
13 incredible.

14 And as Mark had mentioned earlier, there's just
15 been so many accomplishments this Board has made. And we
16 should all be very proud of all of them. But there's
17 still a lot of important work to do. But I leave the
18 Board in very capable hands.

19 But it's now time for me to move on. Time for me
20 to start a new chapter in the life of Cheryl, but I want
21 you all to keep up the good work. You have certainly made
22 a difference in my life. And even though they might not
23 realize it, you make a difference in the life of every
24 Californian by the work that you do every day. It has
25 truly been a pleasure and a privilege to work with you.

1 Goodbye.

2 (Applause)

3 CHAIRPERSON BROWN: We're going to take a couple
4 photos. But as is a tradition with this Board, we'd like
5 to invite all of you for cake. We've got a cake for
6 Cheryl and a cake for Senator Chesbro. So we will meet
7 you in the outer lobby. We're just going to do a couple
8 quick photos, and then we will reconvene after we've
9 exhausted both cakes.

10 (Thereupon a recess was taken.)

11 CHAIRPERSON BROWN: Wow. The audience got a lot
12 smaller. Clearly people were here for cake and not for
13 the agenda. We won't take it personally.

14 Actually, now that you mentioned sugar, seeing
15 that the time is 20 minutes of twelve and everybody has
16 been sugared up, you have enough energy to plow through
17 until we can get through the agenda without breaking for
18 lunch. I hope you don't mind.

19 Kristen, can you call the roll?

20 EXECUTIVE ASSISTANT GARNER: Chesbro?

21 BOARD MEMBER CHESBRO: Here.

22 EXECUTIVE ASSISTANT GARNER: Danzinger?

23 BOARD MEMBER DANZINGER: Here.

24 EXECUTIVE ASSISTANT GARNER: Mulé?

25 BOARD MEMBER MULÉ: Here.

1 EXECUTIVE ASSISTANT GARNER: Petersen?

2 BOARD MEMBER PETERSEN: Here.

3 EXECUTIVE ASSISTANT GARNER: Brown?

4 CHAIRPERSON BROWN: Here.

5 Does anybody have any ex partes to report?

6 BOARD MEMBER CHESBRO: Madam Chair, let's see. I
7 spoke with Laura Jean Kasa of Save our Shores with regards
8 to the education contract that's on the agenda today --
9 I'm sorry -- with regards to the Used Oil Program, as well
10 as Fred Kelley representing Save our Shores with regards
11 to the used oil item. I spoke with Leslie Mintz of Heal
12 the Bay with regards to the education item on the agenda.
13 I spoke with Terry Leveille I think about tweels. I'm not
14 sure what that was, tweels. Okay. So it's not tweedledee
15 and tweedledum. And actually we spoke about various
16 aspects of the tire recycling and conversion and reuse.
17 And then George Larson and I had a conversation about
18 plastic recycling. Thank you.

19 BOARD MEMBER DANZINGER: I mean, I was standing
20 close enough to be both frightened and have to ex parte
21 the conversation with Terry Leveille.

22 CHAIRPERSON BROWN: You're just trying to have
23 him remind you what tweels are. I know what tweels are.
24 But I didn't get the fortunate opportunity to talk to
25 Terry. I had a conversation with George Eowan regarding

1 some emerging technology issues. Okay. Now --

2 BOARD MEMBER PETERSEN: Excuse me, Madam Chair.
3 Smithline about Item 18, and Terry Leveille about tires.

4 CHAIRPERSON BROWN: Thank you. Okay. Now we do
5 have a public comment period prior to our going straight
6 into the agenda. And we have one speaker who's requested
7 to speak during public comment, Evan Edgar.

8 MS. EDWARDS: Thank you, Chair and Board members.

9 Last week, both George Eowan and I were at an
10 RCRC meeting in Davis and missed out on the Committee
11 hearing. He has some agenda items on consent I'd like to
12 talk about.

13 First of all is Item 17, an update on green
14 procurement. We highly support that. All that agenda
15 item was great. We are impressed with your green roads on
16 the home page. So that's a lot of good work there. And
17 with Senator Chesbro coming back to the Waste Board, and
18 last year he supported the SB 1345, his bill he authored,
19 we sponsored it. We want to bring it back this year. And
20 with the compost specs out and with the bond money and
21 green procurement message, we look forward to making it
22 happen this year for you. So it's a great million tons of
23 compost by 2010 was our goal. And we're going to look at
24 that with the nine compost specs. So we highly support
25 green procurement.

1 One other thing that Cheryl used to talk about
2 every AB 939 enforcement message was putting green
3 procurement into everybody's AB 939 plan. And that was
4 their common message she was tenacious on. Hopefully, I
5 know the Board will pick up on the green procurement for
6 every local government to take the compost specs and bring
7 it down locally to the local government.

8 And Item Number 15 about e-waste, it was good to
9 see Michael Paparian here today. He was one of the
10 vanguards of e-waste back in the early days of SB 2050.
11 And SB 2050 is a great program. It was a great staff
12 report. And had I had a chance to comment in Committee, I
13 would have talked about the support of the dual system
14 with regards to e-waste.

15 SB 2050 is a great system whereby people
16 voluntarily participate in the program, but there's a dual
17 system out there whereby people are not doing all the
18 paperwork. They still get ten cents a pound, but they
19 still can charge a gate rate at the transfer station. And
20 it's another successful program.

21 And there's a day of reckoning some day when the
22 consumer who wants free and convenient services for
23 e-waste who have paid into the system two years ago, year
24 ago, the e-waste comes around to the dual system, that
25 message may need to be incorporated in some upcoming PR

1 campaigns. But that's an update for Mr. Chesbro, because
2 I've been talking about that for the last year about the
3 e-waste program being a dual program. It's a great
4 program, and we support that as well.

5 So welcome back. And thank you for my two
6 minutes.

7 CHAIRPERSON BROWN: Thank you, Evan.

8 Okay. A brief overview of where we go from here.

9 The consent agenda is Item 1 revised, 2, 3, 4, 5,
10 6 revised, and 8 revised are on the consent agenda.

11 Member Petersen would like to make a statement
12 regarding one item on the consent agenda.

13 BOARD MEMBER PETERSEN: Thank you, Madam Chair.

14 It's regarding Item 8. I don't want to pull Item
15 8 from the consent agenda, but I'd like to make a couple
16 comments for the record.

17 This item has been revised subsequent to the
18 Committee's discussion clarifying that in the case of both
19 grant programs, the Used Oil Nonprofit Grants and the
20 Research, Testing, and Demonstration Grants, partnerships
21 among municipal entities including the private sector are
22 possible, and I'd like to add desirable. I want to thank
23 both the Used Oil Program staff and the Legal Office for
24 their quick work in clarifying this, because I think it
25 opens the door for some projects that could really kick

1 oil filter recycling into high gear. Thank you.

2 CHAIRPERSON BROWN: Did we want to have the
3 specific changes read into the record on this item?

4 STAFF COUNSEL BLOCK: My understanding is the
5 item has been revised to indicate those changes. So it is
6 in that regard in the record.

7 CHAIRPERSON BROWN: Thank you.

8 Okay. So that is the consent agenda. Does
9 anybody wish to pull an item from our consent agenda?
10 Okay. Can I have a motion?

11 BOARD MEMBER MULÉ: Madam Chair, I'd like to move
12 approval of the consent agenda.

13 BOARD MEMBER PETERSEN: I'll second that.

14 CHAIRPERSON BROWN: It's been moved by Member
15 Mulé and seconded by Member Peterson.

16 Kristen, can you call the roll?

17 EXECUTIVE ASSISTANT GARNER: Chesbro?

18 BOARD MEMBER CHESBRO: Aye.

19 EXECUTIVE ASSISTANT GARNER: Danzinger?

20 BOARD MEMBER DANZINGER: Aye.

21 EXECUTIVE ASSISTANT GARNER: Mulé?

22 BOARD MEMBER MULÉ: Aye.

23 EXECUTIVE ASSISTANT GARNER: Petersen?

24 BOARD MEMBER PETERSEN: Aye.

25 EXECUTIVE ASSISTANT GARNER: Brown?

1 CHAIRPERSON BROWN: Aye.

2 Consent agenda is approved.

3 We will move next to fiscal consent, Items 9, 10,
4 11 revised, and 14 are on fiscal consent.

5 For purposes of our audience, Items 7, 15, 16,
6 and 17 were items that were heard in Committee only.

7 Item 13 was pulled from the agenda.

8 And following the fiscal consent calendar, we
9 will hear Items 12 revised and 18 by the full Board.

10 So we will move first to Committee Chair Mulé.
11 All of your items were on consent. But do you have a
12 Committee report?

13 BOARD MEMBER MULÉ: Very briefly. Thank you,
14 Madam Chair.

15 We did hear one permit renewal for California
16 Asbestos Tire Monofill. And then we heard three
17 compliance orders for the City of Baldwin Park, the City
18 of Compton, and the City of Gardena. And I'm happy to
19 report that they are doing a very good job now of coming
20 into compliance with 939. And I believe you were there.
21 And we had the mayor from Baldwin Park and the Vice Mayor.
22 And we had several elected and appointed officials from
23 the cities to tell us about everything that they're doing
24 to meet 939 compliance. So it was a very, very good and
25 positive meeting. That concludes my report. Thank you.

1 CHAIRPERSON BROWN: They did step up in a big
2 way, took it very seriously, and that was good to see.

3 Next, I will give a very brief Committee report
4 as Chair of the Strategic Policy Development Committee.

5 Two of our items were on consent. The EEI team
6 unfortunately just walked out. But very happy to report
7 that we have an MOU with Heal the Bay that was just on the
8 consent -- oh, Mindy. We have a Heal the Bay MOU. So
9 we're very excited about moving forward on EEI.

10 The one item that I did want to mention is
11 Committee Item C, Agenda Item 7, was the Board governance
12 policies. And that was held in a workshop. Those have
13 been put over to next month's Committee to fine tune the
14 strategic policy directives. We got some comments from
15 the public, and we would like to take those into
16 consideration. So at the next month's Policy Committee
17 meeting, we will be again doing a workshop. But that will
18 be for full Board consideration at the following Board
19 meeting as well. So we want to make sure that we have an
20 opportunity with our new Board members and give the public
21 a full opportunity to participate as well as the executive
22 staff.

23 BOARD MEMBER CHESBRO: Madam Chair, I'm a little
24 behind the curve in this process. And I don't want to
25 slow it down or in any way prevent the Board from moving

1 forward on it. I do have some comments on it. Would it
2 be most appropriate for me to give early warning on what
3 those are, or would it be most appropriate to wait until
4 the Committee has its next workshop?

5 CHAIRPERSON BROWN: It probably is appropriate to
6 do ahead of time. And what we will probably have to do is
7 notice a public meeting of the Board prior to the next
8 Committee meeting. But what we intended to do was work on
9 it in the Board meeting in more of a workshop style. So
10 we'll be able to change and revise and add things at the
11 next Policy meeting. And then there will be sufficient
12 notice on BAWDS to take that under consideration for the
13 Board. So we can do it at Committee or we could schedule
14 another meeting.

15 BOARD MEMBER CHESBRO: Thank you very much.

16 CHAIRPERSON BROWN: Does anybody else have any
17 questions on that? Okay. Thank you.

18 Next we will move to fiscal consent items before
19 the Market Development and Sustainability Committee.
20 Committee Chair Petersen, do you have a report?

21 BOARD MEMBER PETERSEN: Thank you, Madam Chair.

22 We had a long Committee meeting last week. So
23 I'm going to make the report short. Most of the items
24 were on the consent calendar earlier, heard fiscal
25 consent, or Committee items only. One item remains for

1 the full Board discussion, the Tire-Derived Products
2 Business Assistance Program eligibility. That's all I
3 have to say about that.

4 CHAIRPERSON BROWN: Thank you. Very brief.

5 Okay. We will move next to the fiscal consent
6 agenda. First item is Item Number 9. And Jim Lee.

7 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

8 Good morning, Board members. My name is Jim Lee, Deputy
9 Director of the Special Waste Division.

10 Board Item 9 is Consideration of the Grant Awards
11 for the Tire-Derived Product Grant Program. This grant
12 program provides grants to local government entities for
13 projects purchasing tire-derived products such as sports
14 surfacing, sidewalks, weed abatement covers, mulch, and
15 traffic safety products. In an attempt to continue to
16 reduce the amount of grant funds per tire diverted in
17 these products, this grant program featured a cap on funds
18 of either five or seven dollars per tire diverted, down
19 from ten dollars in the previous year grant cycle for this
20 program. Despite this lowered amount of grant support,
21 the program was significantly oversubscribed.

22 Staff is proposing the Board award \$2,369,368 to
23 43 identified grant applicants in List A of the
24 Resolution. Staff is also recommending the contingent
25 award of \$1,895,000 to 31 applicants in List B subject to

1 fund availability and Board determination during next
2 month's tire fund reallocation process.

3 This item was heard by the Market Development and
4 Sustainability Committee and recommended for fiscal
5 consent. Staff recommends the Board approve Resolution
6 2007-09.

7 CHAIRPERSON BROWN: Thank you, Mr. Lee.

8 Any questions?

9 BOARD MEMBER CHESBRO: May I ask, Madam Chair? I
10 got some staff feedback about this earlier. But I want to
11 make sure I'm clear that all of the projects on both lists
12 meet the Board's criteria, but some were scheduled for
13 funding this month, and some will be funded as a follow
14 up. Is that what I understand?

15 DEPUTY DIRECTOR LEE: That is correct. Let me
16 explain, Mr. Chesbro, if I may. All of the projects on
17 both lists meet the Board-established criteria. However,
18 we used what we call the random selection process to
19 identify the projects and basically determine their
20 funding order. So by the luck of the draw, the projects
21 in List A were recommended for the maximum amount of funds
22 allocated for this grant program as set forth in the
23 Five-Year Plan. If it is the Board's desire, in February,
24 there is an additional list, List B, applicants which the
25 Board could choose to fund, assuming there are funds

1 available and there aren't other competing priorities that
2 the Board places a higher value on.

3 BOARD MEMBER CHESBRO: Do we need to make any
4 decision today to make that happen, or will that happen
5 automatically?

6 CHAIRPERSON BROWN: Well, List B will be under
7 consideration when we go back and look at the available
8 tire funds for reallocation. And last year, this program
9 was oversubscribed again, similarly to this one with
10 almost double what we had allocated originally. So we did
11 fully fund all of the projects last year during
12 reallocation. But we don't have the funds this month to
13 fund List B at this point.

14 We did ratchet down, as Jim mentioned, the fee
15 per tire to try to, you know, stimulate the market and
16 continue to see how stable this was and test and see a
17 little bit how it would work. But we're going to be
18 oversubscribed again, because we were so oversubscribed
19 last year. And it's still oversubscribed even at the new
20 breakdown of per tire fee. And I think not too long ago,
21 probably when you're here, they started at \$25 per tire or
22 more. And we're down to five. So it's still a very
23 popular program. And you know, we'll look at List B in
24 next March or April.

25 DEPUTY DIRECTOR LEE: February.

1 CHAIRPERSON BROWN: February. Okay. Perfect.

2 Anybody have any other questions? Okay. Can I
3 have a motion?

4 BOARD MEMBER MULÉ: Madam Chair, I'll move
5 Resolution 2007-09.

6 BOARD MEMBER PETERSEN: I'll second that.

7 CHAIRPERSON BROWN: It's been moved by Member
8 Mulé and seconded by Member Petersen.

9 Kristen, can you call the roll?

10 EXECUTIVE ASSISTANT GARNER: Chesbro?

11 BOARD MEMBER CHESBRO: Aye.

12 EXECUTIVE ASSISTANT GARNER: Danzinger?

13 BOARD MEMBER DANZINGER: Aye.

14 EXECUTIVE ASSISTANT GARNER: Mulé?

15 BOARD MEMBER MULÉ: Aye.

16 EXECUTIVE ASSISTANT GARNER: Petersen?

17 BOARD MEMBER PETERSEN: Aye.

18 EXECUTIVE ASSISTANT GARNER: Brown?

19 CHAIRPERSON BROWN: Aye.

20 Next we'll move to Committee Item 10, Mr. Lee.

21 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

22 Board Item 10 is Consideration of Contractor for
23 the Tire Retread Targeted Outreach Materials and
24 Promotional Training Contract. The item implements Board
25 direction as received during last May's tire reallocation

1 process. The proposed contractor, the Tire Retread
2 Information Bureau, will provide promotional materials and
3 training to city, county, and state agency fleet managers
4 and staff regarding the purchase and proper maintenance of
5 retreaded tires on public sector commercial fleets.

6 This item was heard by the Market Development and
7 Sustainability Committee and recommended for fiscal
8 consent. Staff recommends the Board approve the Tire
9 Retread Information Bureau as contractor and award of a
10 contract not to exceed \$75,000 for a specified work in the
11 previously approved scope of work and approve Resolution
12 2007-10.

13 CHAIRPERSON BROWN: Thank you, Jim.

14 Any questions? Can I get a motion?

15 BOARD MEMBER MULÉ: Madam Chair, I'll move
16 Resolution 2007-10.

17 BOARD MEMBER DANZINGER: Second.

18 CHAIRPERSON BROWN: It's been moved by Member
19 Mulé and seconded by Member Danzinger.

20 Kristen, can you call the roll, please?

21 EXECUTIVE ASSISTANT GARNER: Chesbro?

22 BOARD MEMBER CHESBRO: Aye.

23 EXECUTIVE ASSISTANT GARNER: Danzinger?

24 BOARD MEMBER DANZINGER: Aye.

25 EXECUTIVE ASSISTANT GARNER: Mulé?

1 BOARD MEMBER MULÉ: Aye.

2 EXECUTIVE ASSISTANT GARNER: Petersen?

3 BOARD MEMBER PETERSEN: Aye.

4 EXECUTIVE ASSISTANT GARNER: Brown?

5 CHAIRPERSON BROWN: Aye. Thank you.

6 Now we will move to Board item 11, and Jim Lee.

7 You have all the money in your Committee.

8 DEPUTY DIRECTOR LEE: It seems that way, Madam

9 Chair, for the time being.

10 Board Item 11 is Consideration of Grant Awards

11 for the Targeted Rubberized Asphalt Concrete Incentive

12 Grant Program. This item proposes the award of grants to

13 El Dorado County for the amount of \$200,000, to the city

14 of Santa Maria for \$200,000, and to the city of La Habra

15 for \$150,000 for RAC projects in their respective

16 jurisdictions. The item has been revised to reflect these

17 proposed grant awards. This item was heard by the Market

18 Development and Sustainability Committee and recommended

19 for fiscal consent. Staff recommends the Board approve

20 Resolution 2007-11.

21 CHAIRPERSON BROWN: Thank you, Jim.

22 Any questions?

23 BOARD MEMBER CHESBRO: Madam Chair, I'll move the

24 Resolution.

25 CHAIRPERSON BROWN: Can I get a second?

1 BOARD MEMBER MULÉ: Second.

2 CHAIRPERSON BROWN: It's been moved by Member

3 Chesbro and seconded by Member Mulé.

4 Kristen, can you call the roll?

5 EXECUTIVE ASSISTANT GARNER: Chesbro?

6 BOARD MEMBER CHESBRO: Aye.

7 EXECUTIVE ASSISTANT GARNER: Danzinger?

8 BOARD MEMBER DANZINGER: Aye.

9 EXECUTIVE ASSISTANT GARNER: Mulé?

10 BOARD MEMBER MULÉ: Aye.

11 EXECUTIVE ASSISTANT GARNER: Petersen?

12 BOARD MEMBER PETERSEN: Aye.

13 EXECUTIVE ASSISTANT GARNER: Brown?

14 CHAIRPERSON BROWN: Aye.

15 And Resolution 2007-11 revised passes.

16 And next on fiscal consent is Board Item 14. And

17 that will be presented by John Smith.

18 RECYCLING BUSINESS ASSISTANCE BRANCH MANAGER

19 SMITH: Good morning, Chair Brown and Board members.

20 Welcome back, Board Member Chesbro.

21 Board Item 14 is Consideration of the Recycling

22 Market Development Revolving Loan Program Application for

23 Grover Landscape Services, Inc.

24 This is a consideration of a million-dollar RMDZ

25 loan to Grover Landscaping Services for the purchase of

1 real estate. As a result of this land purchase, new areas
2 will be freed up for composting. An additional 50,000
3 tons per year of green waste diversion will result from
4 this project and bring overall diversion for this project
5 to over 300,000 tons per year.

6 The Board's Loan Committee on January 4th voted
7 unanimously to approve the project with no additional
8 conditions added. This project is located within the
9 Stanislaus Recycling Market Development Zone in the
10 community of Vernalis. The Sustainability and Markets
11 Committee met on January 9th and voted to place this on
12 fiscal consent. Staff recommends that the Board approve
13 Option 1 and adopt Resolution 2007-15 to approve an RMDZ
14 loan to Grover Landscape Services, Inc., in the amount of
15 \$1 million. Are there any questions?

16 CHAIRPERSON BROWN: Thank you, John. Any
17 questions?

18 BOARD MEMBER PETERSEN: I'd just like to say that
19 one of the most important areas that we're going to have
20 to deal with now and in the future is the organics. These
21 guys really know how to run a program and a business and
22 how to make that thing -- their whole program has just
23 grown and grown and grown. My hat's off to them. It's a
24 fantastic program. They should be teaching others in the
25 state too. Those guys should give a clinic on this.

1 RECYCLING BUSINESS ASSISTANCE BRANCH MANAGER

2 SMITH: I'd say that the zone administrator from
3 Stanislaus County came here. If there were any questions,
4 it's Denny Hoeh. If there's any questions of him, he came
5 all the way from Modesto today.

6 CHAIRPERSON BROWN: Wherever you are, thank you
7 for coming all the way from Modesto. Thank you. I think
8 a fair number of us have been down to see Mr. Grover's
9 operation, and it is great. Plus, he employs a robust
10 staff to market and sell his product, which makes him very
11 successful.

12 Any other questions?

13 BOARD MEMBER PETERSEN: I'd like to move
14 Resolution 2007-15, please.

15 BOARD MEMBER DANZINGER: I'll second that.

16 CHAIRPERSON BROWN: It's been moved by Member
17 Petersen and seconded by Member Danzinger.

18 Kristen, can you call the roll?

19 EXECUTIVE ASSISTANT GARNER: Chesbro?

20 BOARD MEMBER CHESBRO: Aye.

21 EXECUTIVE ASSISTANT GARNER: Danzinger?

22 BOARD MEMBER DANZINGER: Aye.

23 EXECUTIVE ASSISTANT GARNER: Mulé?

24 BOARD MEMBER MULÉ: Aye.

25 EXECUTIVE ASSISTANT GARNER: Petersen?

1 BOARD MEMBER PETERSEN: Aye.

2 EXECUTIVE ASSISTANT GARNER: Brown?

3 CHAIRPERSON BROWN: Aye.

4 Great. That exhausts the fiscal consent
5 calendar. And we will move next to Board items starting
6 with Board Item 12 Revised. That would be Mr. Lee.

7 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

8 Board Item 12 is Consideration of Revision of
9 Applicant Eligibility and Evaluation Process for the
10 Tire-Derived Product Business Assistance Program.

11 The Business Assistance Program is the successor
12 program to the Tire Commercialization Program. It was
13 specifically designed in response to Board direction to
14 address perceived problems with that program, to provide
15 targeted assistance focusing on business development
16 services, to provide for more fiscal oversight and
17 scrutiny as part of the application process, to approve
18 the cost effectiveness of the program, and to place a
19 stronger emphasis on accountability for results.

20 This item was discussed at the Market Development
21 and Sustainability Committee. There were several
22 questions raised by stakeholders and Committee members,
23 the response to which have been addressed in a memo to the
24 Board which is available to the public at the back of the
25 room.

1 In response to some of these concerns, the agenda
2 item has been revised to remove from consideration all
3 proposed revisions except for the inclusion of qualifying
4 California Indian Tribes as eligible applicants. The
5 revisions as originally proposed were consistent with
6 previous Board direction to staff to exercise continuing
7 oversight of the program and to recommend amendments as
8 necessary. However, none of the changes are critical to
9 the program going forward, and staff concurs that
10 consideration of these revisions can be held in abeyance
11 pending a report to the Board in March by the contractor
12 and fuller discussion of the proposed revisions during the
13 Five-Year Tire Plan review process.

14 Another stakeholder raised concern and requested
15 clarification of the Board's intent to proceed with the
16 next cycle of the Business Assistance Grant Program
17 currently scheduled for the end of the month with or
18 without the proposed revisions. Staff believes this
19 comment reflects the shared opinion of many stakeholders
20 who are appreciative of the technical services and
21 assistance being offered by this program and are concerned
22 about potential delay.

23 To the extent that delay is being contemplated
24 for perceived conflict of interest issues, Program and
25 Legal staff have opined that the current Board-approved

1 Business Assistance Program reasonably addresses these
2 issues. Moreover, it is responsive to statutory
3 provisions, state contracting regulations, and
4 administrative procedures relative to this matter.

5 In conclusion, staff recommends that the Board
6 affirm its intent for staff to proceed with a NOFA for the
7 next cycle of the Business Assistance Program and approve
8 Resolution 2007-14.

9 CHAIRPERSON BROWN: Thank you, Jim.

10 Do we have any questions from Board members?
11 Okay. Easy enough. And nobody has asked to speak, so can
12 I have a motion?

13 BOARD MEMBER DANZINGER: I'll move Resolution
14 2007-14.

15 BOARD MEMBER PETERSEN: I'll second that.

16 CHAIRPERSON BROWN: It's been moved by Member
17 Danzinger and seconded by Member Petersen.

18 Kristen, can you call the roll?

19 EXECUTIVE ASSISTANT GARNER: Chesbro?

20 BOARD MEMBER CHESBRO: Aye.

21 EXECUTIVE ASSISTANT GARNER: Danzinger?

22 BOARD MEMBER DANZINGER: Aye.

23 EXECUTIVE ASSISTANT GARNER: Mulé?

24 BOARD MEMBER MULÉ: Aye.

25 EXECUTIVE ASSISTANT GARNER: Petersen?

1 BOARD MEMBER PETERSEN: Aye.

2 EXECUTIVE ASSISTANT GARNER: Brown?

3 CHAIRPERSON BROWN: Aye.

4 Thank you, all.

5 And next for consideration is Agenda Item 18,

6 presentation by John Smith and Judy Friedman. John.

7 (Thereupon an overhead presentation was

8 presented as follows.)

9 DEPUTY DIRECTOR SMITH: The item is the

10 Consideration of the Scope of Work for the Life Cycle

11 Assessment of Organic Diversion Alternatives and Economic

12 Analysis of Greenhouse Gas Reduction Options.

13 Judy Friedman and Brenda Smith from the

14 Division's Organic and Research Efficiency Branch and

15 important contributors to the Board's climate action

16 initiatives will be here to present the item.

17 --o0o--

18 BRANCH MANAGER FRIEDMAN: Good morning, Madam

19 Chair, Board members. Welcome back, Senator Chesbro. For

20 the record, I'm Judy Friedman, Manager of the Board's

21 Organics and Resource Efficiency Branch and the Board's

22 point person for climate change issues.

23 As John said, this item is Consideration of the

24 Scope of Work for the Life Cycle Assessment of Organics,

25 Diversion Alternatives, and Economic Analysis of

1 Greenhouse Gas Reduction Options.

2 I would like to note that the allocation proposal
3 for this Scope of Work was approved by the Board in
4 September 2006 where the objectives of the study were
5 discussed and the Board approved going forward. This item
6 will be discussing in greater detail the Scope of Work for
7 the study.

8 But before we go into the details of the scope, I
9 would like to provide a bit of background on climate
10 change issues for those of us here today who are listening
11 in who are new to the topic or new to the Board's specific
12 involvement in the topic. This will be a refresher for
13 folks who have been following this since I first started
14 reviewing these issues with the Board in 2005.

15 --o0o--

16 BRANCH MANAGER FRIEDMAN: So let's start where
17 the Board became heavily involved in climate change
18 issues. And that's with the Governor's Executive Order S
19 305 which was issued on June 1st, 2005, and it established
20 statewide greenhouse gas emission reduction targets. And
21 those are: By 2010, reduce to 2000 emission levels; 2020,
22 reduce to 1990 levels; and 2050, reduce to 80 percent
23 below levels.

24 --o0o--

25 BRANCH MANAGER FRIEDMAN: The Executive Order

1 also established the Climate Action Team which is chaired
2 by the Secretary of Cal/EPA and consists of
3 representatives of the agencies listed on the slide. Our
4 Chair, our Executive Director, and myself are members
5 representing the Integrated Waste Management Board. This
6 team started meeting in July 2005 and it contributed to
7 the targets and recommendations. We generally met monthly
8 until this team issued a report to the Governor and
9 Legislature dated March 2006, and currently we are meeting
10 quarterly. The information in this report also helped
11 with the development of AB 32, Nuez, which was passed by
12 the Legislature and signed into law by the Governor last
13 year.

14 --o0o--

15 BRANCH MANAGER FRIEDMAN: This bill was landmark
16 legislation establishing a cap on greenhouse gas emissions
17 by 2020. Assembly Bill 32 requires the California Air
18 Resources Board to establish a GHG cap for 2020; adopt
19 mandatory reporting rules by January 1st, 2009; adopt a
20 plan to achieve reductions via regulations, market
21 mechanisms, and other actions by January 1st, 2009, and
22 adopt regulations to implement the plan by January 1st,
23 2011.

24 In carrying out the work, the Air Resources Board
25 must also convene an Environmental Justice Advisory

1 Committee, an Economic Technology Advancement Advisory
2 Committee to advise them. They must ensure public notice
3 and opportunity for comment for all Air Resource Board
4 actions. And prior to posing any mandates or authorizing
5 market mechanisms, they must evaluate several factors,
6 including, but not limited to: Impacts on California's
7 economy, the environment, and public health, the equity
8 between regulated entities, electricity reliability,
9 conformance with other environmental laws, and ensure that
10 rules do not disproportionately impact low-income
11 communities. Please note that the work of the Climate
12 Action Team will also be continuing and we'll be
13 coordinating with the Air Resources Board on all of these
14 activities.

15 --o0o--

16 BRANCH MANAGER FRIEDMAN: The Governor also
17 issued a second Executive Order on climate change issues,
18 Order S 20-6, which continues to acknowledge and charge
19 the Climate Action Team with overall coordination and lead
20 for climate change strategies for the state. There are
21 numerous other provisions in this Executive Order,
22 including the State Air Resources Board will work with the
23 Secretary for EPA and the Climate Action Team to bring
24 both regulatory measures and market-based mechanisms
25 forward on a concurrent and expeditious schedule. And the

1 Secretary for Cal/EPA, the Climate Action Team, and the
2 Air Board will work and coordinate to develop an economic
3 analysis of efforts to reduce GHG emissions, including a
4 cost effectiveness analysis.

5 --o0o--

6 BRANCH MANAGER FRIEDMAN: So that brings us to
7 what our specific role is. As identified in the March
8 2006 Climate Action Team report to the Governor and the
9 Legislature, the Board has been assigned three strategies
10 for climate change projects. And I'm happy to say, and
11 Mark said earlier, we have achieved number one. So we are
12 concentrating on strategies two and three, namely the zero
13 waste high recycling strategy and the landfill methane
14 capture strategy. So why are these strategies projected
15 to achieve greenhouse gas emission reduction? The answer
16 requires review of some of the basic tenants of global
17 warming and climate change.

18 --o0o--

19 BRANCH MANAGER FRIEDMAN: This is a schematic of
20 the greenhouse effect. Solar radiation passes through the
21 atmosphere, is absorbed by the earth's surface, and
22 converted into heat, causing the emission of long wave or
23 infrared radiation back to the atmosphere where it
24 encounters the greenhouse gasses and is absorbed and
25 re-emitted by the GHG molecules. The effect is warming of

1 the earth's surface and the troposphere. The surface
2 gains more heat, and infrared radiation is emitted again,
3 and so on and so on.

4 California's greenhouse gas emissions are large
5 and growing as a result of population and economic growth
6 and other factors. From 1990 to 2004, total gross
7 greenhouse gas emissions rose 14.3 percent and will
8 continue to grow unless we implement strategies to reduce
9 them.

10 --o0o--

11 BRANCH MANAGER FRIEDMAN: So these are the
12 greenhouse gasses that we are talking about when we speak
13 about GHGs. Sources of these include carbon dioxide. The
14 majority of this comes from fossil fuel combustion,
15 primarily the transportation sector, in particular,
16 gasoline consumption. Carbon dioxide is 84 percent of
17 California's total GHG emissions in 2004.

18 Methane. Methane accounted for approximately 6
19 percent of gross 2004 climate change emissions in
20 California. Decomposition of organic material in
21 landfills and agricultural processes such as enteric
22 fermentation, manure management, and rice cultivation
23 account for most of anthropogenic, or manmade, CH₄
24 emissions in California.

25 Nitrous oxide. Nitrous oxide emissions account

1 for nearly 7 percent of climate change emissions in
2 California in 2004. The primary sources of anthropogenic
3 nitrous oxide emissions in California are agricultural
4 soil management and fossil fuel combustion in mobile
5 sources.

6 --o0o--

7 BRANCH MANAGER FRIEDMAN: So what's the
8 relationship to solid waste? Waste is an important source
9 of greenhouse gas emissions. Waste activities account for
10 approximately three percent of total U.S. greenhouse gas
11 emissions. And that's per the U.S. EPA. By recycling,
12 waste-related actions result in emission reduction
13 benefits or can result in emission reduction benefits that
14 are realized across multiple industrial sectors. For
15 example, by recycling, we reduce the need to harvest
16 virgin material. We simplify manufacturing processes and
17 minimize waste delivery to landfills. And I think the
18 next slide illustrates that pretty well.

19 --o0o--

20 BRANCH MANAGER FRIEDMAN: And this is a schematic
21 of the link between waste management and greenhouse gas
22 emissions. Waste management options either increase or
23 decrease greenhouse gases accordingly. And as you can
24 see, energy and material used to play a big part in
25 greenhouse gas emissions. For example, let's look at

1 extraction. Greenhouse gases are emitted during the
2 harvesting of trees and the extraction of transport of raw
3 materials. Waste prevention and recycling delay the need
4 to extract some raw materials, lowering greenhouse gases
5 emitted during extraction.

6 I wanted to say one thing about this schematic.
7 It really doesn't accurately portray the California waste
8 scenario. We borrowed this from our friends at U.S. EPA,
9 because combustion does not figure prominently in
10 California, and California includes composting and the
11 potential for other organics technologies which are not
12 represented here.

13 --o0o--

14 BRANCH MANAGER FRIEDMAN: So let's review a
15 product's life cycle to see where there are opportunities
16 for greenhouse gas emission reduction via reduction in
17 energy and materials. When you create a product, there
18 are many steps where resources and energy are consumed.
19 If you recycle that product, you can eliminate the
20 extraction step and reduce the pre-manufacturing and
21 manufacturing steps and the energy and resource
22 expenditures of those steps. And the schematic shows
23 that.

24 If you reuse the product, you eliminated all
25 those steps. And you actually save the most greenhouse

1 gases.

2 Reuse can be one of the most positive ways to
3 reduce greenhouse gas emissions. It means you don't have
4 to expend materials and energy to manage for end-of-life
5 or even remanufacturing.

6 --o0o--

7 BRANCH MANAGER FRIEDMAN: So taking into account
8 the life cycle of these materials, this slide illustrates
9 the intrinsic energy value of various recycled materials.
10 For example, aluminum manufacturing is one of the most
11 energy intensive. So by recycling a ton of aluminum cans,
12 you can save nearly 207 million BTUs of energy. Again,
13 energy savings translates very well to greenhouse gas
14 emissions reductions.

15 One thing I should note here, if you look at the
16 list of materials here, you will see -- what you won't see
17 are most organic materials. That is because current GHG
18 inventory reports and environmental calculators do not
19 appear to take into consideration a full life cycle
20 assessment and the associated beneficial offsets to
21 calculate greenhouse gas emissions reductions for organic
22 materials. Hence, why we are undertaking the study.

23 --o0o--

24 BRANCH MANAGER FRIEDMAN: And again, to remind us
25 of why we are focused on organic materials, this is the

1 organics pie. Of the total amount of materials going to
2 landfills, 70 percent of it is carbon-based organic
3 materials and 30 percent is combustible organic materials.
4 Since we are moving towards zero waste, we naturally are
5 focusing on the largest portions of the waste stream for
6 diversion opportunities.

7 --o0o--

8 BRANCH MANAGER FRIEDMAN: But we not only need to
9 achieve diversion of materials from landfills, we also
10 need to achieve GHG emission reductions as required by AB
11 32 and the Climate Action Team report. And we are all
12 interested in cost effective mechanisms to do so.

13 So our approach is to look at optimizing the
14 diversion of waste while achieving the maximum GMG
15 emission reductions at the lowest cost possible. So in
16 this study, we will be looking at the various organic
17 materials and processes for managing them, such as
18 composting or anaerobic digestion, to see the tradeoffs
19 among waste management options, GHG emission reductions,
20 and costs.

21 This brings us to the Scope of Work that is
22 before you today. As you know, this concept allocation
23 was approved back in September, but I'm going to turn the
24 presentation over to Brenda Smyth who will walk you
25 through the details of the scope of work.

1 --o0o--

2 MS. SMYTH: Good afternoon, Madam Chair and Board
3 members. I'm Brenda Smyth. I'm with the Organics
4 Resource Efficiency Branch.

5 With that foundation in climate change, I'm going
6 to walk you through a few more slides that brings back to
7 our agenda item.

8 --o0o--

9 MS. SMYTH: The Scope of Work before you includes
10 two major areas of study: The life cycle assessment and
11 economic analysis. Life cycle assessment and economic
12 analysis will quantify which organic management
13 alternatives and recycling options are appropriate for
14 specific regions in the state of California to maximize
15 greenhouse gas emission reductions in the most cost
16 effective manner. Project outcomes will be a California
17 customized greenhouse gas tool that will calculate
18 greenhouse gas emissions, tons of materials diverted from
19 the landfill, and cost for the different waste management
20 strategies with considerations of different regional
21 parameters.

22 --o0o--

23 MS. SMYTH: Again, existing inventories and
24 calculators like U.S. EPA's warm model or their MSW
25 decision support tool do not include a full life cycle

1 assessment of organic materials that look at the full
2 array of beneficial offsets for various solid waste
3 management options for organics. For example, composting
4 can result in reduced water consumption for the crops and
5 landscapes where it is applied. It can save you the
6 energy to pump the water, the energy to manufacture and
7 apply fertilizer, pesticides, and herbicides. It can also
8 result in the storage of carbon and soils, also known as
9 carbon sequestration.

10 Another example is anaerobic digestion. This can
11 result in avoided fossil fuel use and the creation of
12 renewable fuels. So we are going to build an LCA model
13 that will quantify the greenhouse gas emissions for
14 beneficial offsets, that will quantify the diversion of
15 organic alternatives, and that will evaluate regional
16 waste management characteristics.

17 --o0o--

18 MS. SMYTH: In the climate change work that we
19 are doing, we are required to understand the cost of
20 implementing the strategies, including capital costs,
21 operating costs, the cost of saving beneficial offsets,
22 and employment impacts.

23 The Governor has been very mindful of knowing how
24 greenhouse gas emission reduction will impact the economy.
25 The Climate Action Team's preliminary macro economic

1 analysis was favorable, but we are required to refine the
2 study, including the Board's part in this. We are also
3 going to ultimately be looking at cost benefit tradeoffs
4 as required by the Governor's Executive Order. Our Scope
5 of Work here will help us understand how much greenhouse
6 gas reduction and diversion we can achieve at what cost.

7 --o0o--

8 MS. SMYTH: The final result of this Scope of
9 Work will be putting the pieces together by combining the
10 LCA with the economic analysis in a sophisticated
11 multi-dimensional model. The model will be a customized
12 tool that will help us look at the tradeoffs and optimized
13 greenhouse gas reduction, diversion, and cost.

14 --o0o--

15 MS. SMYTH: Here are some of the potential uses
16 for this customized tool. We are required to refine our
17 strategies as we go along, getting more specific and more
18 detailed about exactly how much greenhouse gas reduction
19 will be achieved at what cost. As we learn more about
20 which solid waste management options result in what
21 greenhouse gas reductions, it could help the Board develop
22 new and further refine its strategic directives. This in
23 turn would help us prioritize and refine our program
24 activities. Ultimately, this tool could be used to
25 conduct regional analyses.

1 --o0o--

2 MS. SMYTH: The next steps are: Upon the Board's
3 approval of Option 1 and adoption of Resolution 2007-7,
4 staff will issue an RFP in February. Staff will evaluate
5 proposals in April and bring the award of contract item to
6 the Board in May, thus ensuring encumbering the money in
7 this fiscal year.

8 This concludes my presentation. Are there any
9 questions?

10 CHAIRPERSON BROWN: Thank you, both Brenda and
11 Judy. I appreciate that. I'm sure we have questions.
12 Senator.

13 BOARD MEMBER CHESBRO: I have some comments and a
14 question. They're pretty broad questions and pretty broad
15 comments and a broad question not specific to the details
16 here.

17 First of all, I'm very excited about this. I
18 think the focusing on the role that waste management and
19 recovery and recycling and reduction can play in helping
20 us to address the very, very important issue of greenhouse
21 gas and global warming is fantastic and absolutely
22 necessary and in keeping with the Governor's Order and the
23 AB 32.

24 But there's another piece to it, too, for those
25 of us who had this long-term commitment to reducing the

1 waste stream. And that is that it also can put waste
2 reduction and recycling back on the front page and put the
3 public's mind -- because the public has shown a really
4 strong interest and concern right now and we hope on an
5 ongoing basis around this issue.

6 So it occurred to me that for recycling, global
7 warming is the new garbage barge. Because those of you
8 that remember we had a very fertile period in the late
9 '80s and early '90s where the public and the news media
10 and politicians were all really engrossed and interested.
11 And we made huge progress. And the work we're doing here
12 is the result -- that the Board is doing is a direct
13 result of that time period. I think we're moving into a
14 similar time period, and global warming can be that focus
15 for waste recycling.

16 There's a paralegal strategic benefit that I
17 think can help us elevate the issues that the Board was
18 created to address. So I'm very excited about that as
19 well. So I'm very supportive of this.

20 The question I have, and it may seem a little
21 archaic, because I know eight years have passed. But it's
22 a generic one that I'm going to bring up -- not in Arcata.
23 Archaic. Arcata is a little Archaic. They say Arcata is
24 where the '60s meet the seas. So there's a little archaic
25 thing in Arcata, too.

1 But in the effort to get to 50 percent, which the
2 very specific statute focused on, it appears me that the
3 question of how we're addressing the hierarchy has dropped
4 down the list of criteria. And it's still in the statute,
5 and I know our role is complicated in trying to figure out
6 how to meet the various statutory requirements. Because
7 50 percent was the gold standard, and it's been achieved,
8 and that's great. But when I was looking through this and
9 it came to the question of, for example, cost
10 effectiveness, I said, yeah, cost effectiveness is
11 important. But in the statute, we also still have how
12 various alternatives meet the hierarchy. So I am not
13 bringing it up specific, because this is the place where
14 this is the most important point. But I think you will
15 hear me in future months ask the question with regards to
16 various things we're doing. And my generalized input
17 without making a proposal to modify this today is that you
18 look to have that also be one of the questions that get
19 asked, is how each of the alternatives fits within the
20 hierarchy. Thank you.

21 CHAIRPERSON BROWN: Great. Thank you, Senator.
22 Gary.

23 BOARD MEMBER PETERSEN: This is fabulous. This
24 is where we got to go. Being from the street side of this
25 as we are looking at hierarchy, which Mr. Chesbro talked

1 about, my emphasis on this is just as we did when we just
2 approved the loan for the Grover Landscaping Services.
3 It's a full-on giddyup with the companies that are out
4 there that are blazing the trails that are trying to
5 create the markets and develop it. And simultaneously
6 maybe as this process goes along, we're going to find some
7 other market opportunities. And for me just to
8 concentrate on getting the stuff out on the street to make
9 this happen with the hierarchy in mind, but basically
10 developing that market and make it happen.

11 CHAIRPERSON BROWN: Thank you.

12 Jeff.

13 BOARD MEMBER DANZINGER: Yeah. I just want to
14 echo what both of you just said. Dead on. Dead on. You
15 know, Judy, I'm pumped up about this. I think this is
16 fantastic.

17 You know, I just recently completed the process
18 of going through confirmation. And that gave me the
19 opportunity -- and I'm going to stay positive and use the
20 word opportunity -- to talk about what was most important
21 to me. And there are a few things that didn't change from
22 the first day I came back, and that was priority materials
23 and organics being a huge focus for us. But also, you
24 know, the good news that after 50 percent, still looking
25 at what's going into our landfills, it's still a lot of

1 this material that's readily recoverable. It's
2 recyclable. It's compostable. It's the kind of material
3 that the 939 infrastructure is already designed to divert.
4 And so finding ways to break down barriers and do more to
5 capture more of that same material and just expanding on
6 what we're doing, so that's already something that we
7 ought to be doing because we want to go well beyond
8 50 percent.

9 But now we see, you know, the wisdom in the law
10 in 939 and the infrastructure. I don't think greenhouse
11 gases is referenced a single time in 939. And yet, we
12 find that the effort that it spurred, that it launched,
13 has a huge impact on our efforts to reduce the heat
14 trapping emissions.

15 So I'm excited about this, and I look forward to
16 sort of like really formalizing this nexus and furthering
17 our efforts to move closer and closer to zero waste. And,
18 yes, doing it with the hierarchy. And of course, any time
19 you want to talk about the hierarchy and the first part of
20 it which has been only the surface has been scratched,
21 I'll take that opportunity again to put a plug in for
22 producer responsibility, which I hope we'll be able to
23 work with some of your colleagues to give us more
24 authority to actually address waste prevention, source
25 reduction, which we do not have a lot of authority on. So

1 thanks, thanks, and good luck.

2 CHAIRPERSON BROWN: Thank you.

3 Rosalie.

4 BOARD MEMBER MULÉ: Just one quick question,
5 thank you, Madam Chair.

6 Judy, we've received a letter from Mr. Chuck
7 Tobin from Burrtec Waste Industries. And I guess he had a
8 question on while this is a great tool that we're
9 developing, could we use it -- this isn't his question.
10 My question is, could we use that tool and expand it to
11 other materials, such as C&D materials, paper, and the
12 like?

13 BRANCH MANAGER FRIEDMAN: The customized tool
14 that we hope to get will be taking information that we
15 have in existing calculators, which includes information
16 on some of those materials, and the new information that
17 we're going to get in this for organics. So we'll be
18 completing our array of -- or more completing our array of
19 information on those material types and then the economics
20 across all of them. So we should be able to utilize this
21 in the future for other analyses. We may have to do a
22 little more work in the C&D area as well.

23 BOARD MEMBER MULÉ: Sure. Sure. But I can see
24 adapting it and maybe not taking it exactly as it is, but
25 adapting it for other materials.

1 BRANCH MANAGER FRIEDMAN: Right. And of course,
2 with any study you get into stuff and you find other
3 stuff. But our idea is to get something here that's very
4 workable that we can use just beyond just this project.
5 Thank you.

6 CHAIRPERSON BROWN: Thank you, Judy.

7 BOARD MEMBER DANZINGER: Just along the lines of
8 plugging the current practices that we're already doing, I
9 had made a note of this. Correct me if I'm wrong. I was
10 thinking back to a Board meeting earlier last year, some
11 previous study that you referenced that found referring to
12 biogenics, I guess which is the natural decomposition of
13 organic materials. And that there was a finding that the
14 natural decomposition actually emitted more. There were
15 more emissions from that then when you run it through
16 traditional composting processes. So that, in essence,
17 the processes of composting is actually an emission
18 reducer. Am I remembering that correctly?

19 BRANCH MANAGER FRIEDMAN: You are remembering
20 that correctly. It was one of our Board-funded studies on
21 VOC emissions from composting, and actually pneumonia VOC
22 emissions. So that is volatile organic compounds, for
23 those that hate acronyms.

24 So you are, in fact, correct. Now, those studies
25 that we did were not specifically done for greenhouse gas

1 emissions. So I need to caveat it. But in general, our
2 findings have been that by managing the organic materials,
3 managing them well, we actually reduce emissions that over
4 biogenic.

5 BOARD MEMBER DANZINGER: Maybe that can help us
6 reduce some of the nimbyism targeted at composting
7 facilities.

8 BOARD MEMBER PETERSEN: Madam Chair, one more
9 question.

10 Judy, on the situation such as what happened and
11 what's going on or has happened at AQMD, are we going to
12 be able to allay and really get to the science of all this
13 with what we're doing so that the market is supported --
14 hopefully supported by the compost in what we're doing and
15 allay some of the fears that we have from some
16 jurisdictions that think this stuff is really bad?

17 BRANCH MANAGER FRIEDMAN: Well, one of the things
18 that we're hoping to achieve from this -- and we mentioned
19 it earlier -- is those co-benefits from organics
20 management, looking at things like the water savings, the
21 energy savings, and all those things, the emissions, so
22 that we can actually have quantified data, you know, as
23 opposed to anecdotal data which we have now. So that's
24 really part of the idea behind this.

25 BOARD MEMBER PETERSEN: I hope so. Great. Thank

1 you.

2 Member Chesbro.

3 BOARD MEMBER CHESBRO: I actually started out by
4 saying I was going to ask a question, and then I made a
5 speech. So what I wanted to get the staff's response, if
6 any -- and you may want to talk to me later about this. I
7 don't know whether you were prepared with a response,
8 because I didn't give you any warning on the question of
9 whether any consideration was given to applying the
10 reduction and recycling reuse, basically the hierarchy, in
11 developing this project.

12 BRANCH MANAGER FRIEDMAN: I do want to say that
13 this project is part -- just part of the strategy of zero
14 waste/high recycling. It isn't the full strategy. And
15 part of that full strategy includes focusing on source
16 reduction activities. So as far as the actual Scope of
17 Work for this project, you know, I don't think at this
18 point we had an algorithm and vision on looking at the
19 hierarchy. But we could.

20 But I did want to clarify that this is only part
21 of the strategy. And source reduction is waste
22 prevention. Source reduction is part of the full zero
23 waste/high recycling strategy. I don't know if Brenda
24 wants to add to that, or Howard is whispering in my ear.

25 And Howard has reminded me -- thank you,

1 Howard -- that we will be -- the process for these
2 strategies are ongoing, continual revising. We're
3 supposed to revise them as we go along, as we learn new
4 things, as we refine our focus. So we can always build
5 more details into it as we go along.

6 CHAIRPERSON BROWN: Mark, would you like to add
7 to that on what the staff is doing as far as source
8 reduction and waste prevention? Because I think the
9 agenda item as Judy mentioned, one, but maybe you want to
10 contribute to the response for Member Chesbro?

11 EXECUTIVE DIRECTOR LEARY: I think the Board has
12 placed a high priority, particularly recently, in
13 capturing the strategic directives that the Board wants to
14 see more efforts in regards to waste reduction. In fact,
15 through budgetary language, the Board, the Legislature has
16 asked us to look at manufacturers and producer
17 responsibility and provide a report to them for
18 alternatives and endorsing that concept. So we continue
19 to expand in terms of the hierarchy and the higher levels
20 of the hierarchy, our efforts that heretofore have been
21 considered less than adequate or less than complete.

22 So we're looking to move forward in addition to
23 the organics focus of this life cycle analysis and going
24 to the whole landfill side of our strategies for climate
25 change that are targeted out of the P&E shop with Scott

1 Walker and Howard Levenson working together with the
2 Energy Commission to fully document the opportunities to
3 control landfill gas at landfills throughout the state of
4 California and better understand the science behind that
5 process. So there's a multitude.

6 I'm not sure I touched on what you're looking
7 for, Madam Chair. But there are a multitude of efforts
8 here at the Board engaged with our normal 939 priorities
9 and activities that co-exist and link strongly with the
10 whole climate change effort that we're all engaged in and
11 supportive of.

12 CHAIRPERSON BROWN: Thank you. I think that
13 somewhat touches on it. I think there's a general
14 consensus among the Board members up here that we would
15 like to see that discussion as part of the discussion when
16 we bring up climate, you know, the source reduction, the
17 minimizing waste along with the greenhouse gas capture.
18 So I think it's consensus among the Board members we would
19 like to have that added.

20 We do have a couple of public -- did that get --
21 actually I should ask Member Chesbro. Did that kind of
22 get --

23 BOARD MEMBER CHESBRO: That's fine. Thank you.

24 CHAIRPERSON BROWN: We do have two members of the
25 public that would like to address Agenda Item 18. And the

1 first is Chuck White, Waste Management.

2 MR. WHITE: Thank you, Madam Chair, members of
3 the Board.

4 I can't emphasize how important this whole
5 project is. The whole greenhouse gas/global warming issue
6 I believe certainly is the most important environmental
7 challenge facing California, if not the world. And this
8 is really going to be important to get some good data and
9 information related to alternative management processes.

10 It was interesting, earlier in the morning you
11 mentioned about how AB 939, we've kind of reached the
12 50 percent goal. And people have wondered for the last
13 couple of years what's the new AB 939 going to be? I
14 think global warming is going to be the new driver for
15 virtually everything we do. Where we are work, how we
16 work, where we play, how we manage our solid waste. I
17 think you're looking at the new AB 939 is how we respond
18 to this global warming challenge we're facing.

19 One of the comments was made by Mr. Tobin, my
20 friend, about the idea of making sure that this is
21 consistent -- even though your focus is on organics,
22 making sure it's consistent with all the other life cycle
23 analysis that's been done on other inorganic things, such
24 as the EPA's municipal waste decision support tool that
25 Susan Thornlow has been working on.

1 In addition, the California Air Resources Board
2 is going to be developing a low carbon fuel standard
3 evaluating the life cycle of various types of alternative
4 fuels, such as cellulosic ethanol, which I'm glad to see
5 is one of the objectives you're going to be looking at.
6 But it's important the work you do is consistent with what
7 the Air Resources Board does with respect to their
8 alternative fuel standards.

9 In addition, the California Air Resources Board
10 is in the process of developing a response to the
11 implementation of the Global Warming Solutions Act. And
12 one of the things that is a marketable credit -- and not
13 this year, not next year, but somewhere down the road
14 people are going to be making decisions based upon the
15 marketable credits that you get on reducing greenhouse gas
16 emissions. And the work you're doing here do very well
17 lay the foundation and framework for the value that's put
18 on making alternative waste management divisions and what
19 kind of marketable credits might be available in the
20 future.

21 So again, I can't emphasize how important it is
22 for this Board to get it right to be objective, to be
23 accurate, and to be clear that you're using the best
24 information available. Now in last year in global warming
25 in California has been a roller coaster ride. I know it

1 has been for me and a lot of people where a lot of data
2 has come out saying this about that and how much is coming
3 from the waste industry or landfills and some it is good
4 data, some of it maybe not so good data. I can't
5 emphasize the importance of how important it is for the
6 Board to get it right on this project to make sure if you
7 do a life cycle analysis you use the best information
8 that's available to make sure you really are comparing the
9 alternative management standards. And it is useful
10 information to make the correct decisions on how to reduce
11 greenhouse gas emissions from solid waste management
12 activities.

13 And it's really good to see the Board being on
14 active participant. I think there's a lot of data that
15 was coming down from above and no one knew what was going
16 on. The waste industry was caught by surprise. I think
17 the Board was caught by surprise. So I think it's so
18 positive to see the Board and the staff is really
19 recognizing that you need to be in the leadership position
20 when statements are made about greenhouse gas emissions
21 and the effects as a result of waste management activities
22 and you're basically saying what happens, not having other
23 people tell you or making assumptions that you're not
24 participating in. So this is so good. And I'm so glad to
25 see the Board taking this leadership position.

1 My last comment is just I hope that the Board
2 through this process and other activities you're involved
3 in greenhouse gas in a visible, objective, and open
4 process. So stakeholders such as myself, any friends in
5 the environmental community, we all can sit at the table
6 and take a look at the data that is being used. Is it
7 accurate? Is it the best information that's available?
8 I'm not sure exactly what is built into this process. But
9 to the extent you keep it open and visible and
10 participatory that those of us that are outside looking in
11 we sure would appreciate that. Thank you very much.

12 CHAIRPERSON BROWN: Thank you very much for your
13 comments. Next speaker is Scott Smithline.

14 MR. SMITHLINE: Madam Chair, I'm Scott Smithline
15 with the environmental group Californians Against Waste.

16 Nobody told me Christmas was coming two weeks
17 late this year. So I'm looking at this discussion. We're
18 talking about producer responsibility. We're talking
19 about working with AQMD. We're talking about this
20 particular study. I think one of the only things I asked
21 for that I didn't get so far was getting rid of diversion
22 credit for ADC. But maybe we're going to get there too.

23 Joking aside, I really --

24 CHAIRPERSON BROWN: Don't take their laughing
25 that we aren't going to consider it or at least have the

1 dialogue, Scott. But you know, don't go too far.

2 MR. SMITHLINE: I tell you I often feel like CAW
3 is a lone voice, but it's like a choir in here today. I'm
4 really pleased. So I think this study is a critical study
5 for many reasons, all of which have been really been
6 discussed here. I just really urge to you to support the
7 staff in this study. And I think that this truly is an
8 opportunity for the Board to take a leadership role, not
9 just for the sake of taking a leadership role here, but I
10 think there are truly significant greenhouse gas reduction
11 opportunities in the waste management sector. This study
12 will give policymakers real tools to help make decisions
13 on organics. Organic management has not been the shining
14 stars of the state.

15 I got a call from some policy makers this week in
16 South Carolina asking me, "What are you guys doing right
17 in California about organic composting management?" I
18 didn't have that long a list for this person. And I said,
19 "We are moving in the right direction." This will give us
20 the tools we need. As Chuck said, we really need to know
21 the answers to these questions to make good policy
22 decisions. We may have other reasons that we already know
23 of why we want to get organics out of the landfills. But
24 there are a ton of -- there's a ton of great information
25 that we can get. We need to move forward with it. So we

1 are in full support. Thank you very much.

2 CHAIRPERSON BROWN: Thank you, Scott.

3 We have an ambitious agenda. Do we have any
4 other questions for staff, Board members, comments for
5 audience? Okay. I think everybody loves the proposal.
6 Can I have a motion?

7 BOARD MEMBER MULÉ: Madam Chair, I'll move
8 Resolution 2006-7.

9 BOARD MEMBER DANZINGER: Second.

10 CHAIRPERSON BROWN: It's been moved by Member
11 Mulé, seconded by Member Danzinger.

12 Kristen, can you call the roll?

13 EXECUTIVE ASSISTANT GARNER: Chesbro?

14 BOARD MEMBER CHESBRO: Aye.

15 EXECUTIVE ASSISTANT GARNER: Danzinger?

16 BOARD MEMBER DANZINGER: Aye.

17 EXECUTIVE ASSISTANT GARNER: Mulé?

18 BOARD MEMBER MULÉ: Aye.

19 EXECUTIVE ASSISTANT GARNER: Petersen?

20 BOARD MEMBER PETERSEN: Aye.

21 EXECUTIVE ASSISTANT GARNER: Brown?

22 CHAIRPERSON BROWN: Aye.

23 And that Resolution passes.

24 BRANCH MANAGER FRIEDMAN: Madam chair, if I may,
25 I wanted just a quick epilogue. I'd really like to thank

1 you for approving this item. But I'd like to acknowledge
2 and thank the team that worked very hard to flush out the
3 details of the Scope of Work.

4 If I may, indulge me, firstly, I'd like to thank
5 Dana Papke, who was the project lead on pulling the scope
6 together. Dana just recently left our Board to go work
7 for the ARB and of all things on climate change. So we
8 trained her well and then she moved on.

9 Second, Brenda Smyth, who is really my right-hand
10 person on climate change issues and knows what we need to
11 achieve from this study.

12 Stephen Storelli, who used his expertise and gave
13 legs to the economic portion of this scope. Fernando
14 Burton, who provided expert input based upon previous life
15 cycle analyses that the Board did. And Howard Levenson,
16 whose insights in so many areas are a constant source of
17 delight, not to mention extremely useful.

18 And last, but by no means least, I would like to
19 acknowledge Mark Leary and your leadership, Madam Chair,
20 and support in pursuing climate change strategies. Thank
21 you very much.

22 CHAIRPERSON BROWN: Bordered on the Golden Globe
23 acceptance speech.

24 BRANCH MANAGER FRIEDMAN: I just watched it.

25 CHAIRPERSON BROWN: How timely. But thank you,

1 Judy, for acknowledging everybody who's been a part of the
2 development of this Scope of Work as well as all of our
3 tasks involved. And thank you also for capably
4 representing the Board on the AB 32 implementation. It
5 certainly is a lot of work and a lot of meetings. And
6 that is in addition to our your duties and
7 responsibilities at the Board. So thank you for doing
8 that.

9 I think that finally exhausts our agenda. Does
10 anybody have any Board comments, closing comments?
11 Hearing none, we will adjourn this meeting. Thank you.

12 We have closed session. I didn't announce that.
13 The Board needs to adjourn briefly into closed session to
14 take up a couple of minor tire items.

15 (Thereupon the California Integrated Waste
16 Management Board recessed into closed
17 session at 12:45 p.m.)

18 (Thereupon the California Integrated Waste
19 Management Board adjourned at 1:15 p.m.)

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1 CERTIFICATE OF REPORTER

2 I, TIFFANY C. KRAFT, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing hearing was reported in shorthand by me,
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8 State of California, and thereafter transcribed into
9 typewriting.

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said hearing nor in any
12 way interested in the outcome of said hearing.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 30th day January, 2007.

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